

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ART SHY, et al.

Plaintiffs,

v.

NAVISTAR INTERNATIONAL
CORPORATIONAL, et al.

Defendants.

Case No. 3:92-cv-00333
Judge Walter Herbert Rice

SUPPLEMENTAL BENEFIT
COMMITTEE OF THE NAVISTAR
INTERNATIONAL TRANSPORTATION
CORP. RETIREE SUPPLEMENTAL
BENEFIT PROGRAM,

Intervenor-Plaintiff,

v.

NAVISTAR INTERNATIONAL
CORPORATION,

Defendant.

MOTION OF THE
SUPPLEMENTAL BENEFIT COMMITTEE OF THE NAVISTAR
INTERNATIONAL TRANSPORTATION CORPORATION RETIREE
SUPPLEMENTAL BENEFIT PROGRAM TO INTERVENE

COMES NOW, the Supplemental Benefit Committee of the Navistar International Transportation Corporation Retiree Supplemental Benefit Program (the "Committee"), by and through its undersigned counsel, and pursuant to Rule 24 of the Federal Rules of Civil Procedure, hereby moves for leave to intervene in the above captioned matter. The

Committee seeks to intervene in order to request this Court to enforce the terms of the settlement agreement executed by the parties in this matter. The Committee avers that it has consulted in good faith with Defendant, Navistar International Corporation, with regard to the filing of this Motion and Navistar has not consented to this Motion. A memorandum in support accompanies this Motion and is incorporated as if fully rewritten herein.

Respectfully Submitted:

/s/ Kevin L. Murphy
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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of March, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record:

/s/ Kevin L. Murphy
Kevin L. Murphy